

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL ROUNDTREE,

Plaintiff,

-v-

No. 19 CV 7347-LTS-SDA

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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ORDER ADOPTING REPORT & RECOMMENDATION

The Court has reviewed Magistrate Judge Stewart D. Aaron's Report and Recommendation dated January 15, 2021 (the "Report") (Docket Entry No. 25), which recommends that Plaintiff's motion for judgment on the pleadings (Docket Entry No. 16) be granted and the matter remanded to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g), and that Defendant's cross-motion for judgment on the pleadings (Docket Entry No. 22) be denied. No objections to the Report have been received.

In reviewing a report and recommendation, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C.A. § 636(b)(1)(C) (Westlaw through P.L. 116-259). "When no objections to a report and recommendation are made, the Court may adopt the report if there is no clear error on the face of the record." Rivera v. Comm'r of Soc. Sec., 728 F. Supp. 2d 297, 303 (S.D.N.Y. 2010).

The Court has reviewed carefully Magistrate Judge Aaron's thorough and well-reasoned Report and Recommendation and finds no clear error. The Court therefore adopts the Report in its entirety for the reasons stated therein. Accordingly, Plaintiff's motion for judgment

on the pleadings is granted and Defendant's cross-motion for judgment on the pleadings is denied. The matter is remanded to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). This Order resolves Docket Entry Nos. 16 and 22. The Clerk of Court is requested to enter judgment accordingly.

SO ORDERED.

Dated: New York, New York  
February 8, 2021

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
United States District Judge